



National Association of Tower Erectors

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VIA ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW, TW-A325
Washington, DC 20554

Re: In the Matter of Expanding the Economic and Innovation Opportunities of
Spectrum Through Incentive Auctions, GN Docket No. 12-268

Dear Ms. Dortch:

On behalf of the National Association of Tower Erectors (“NATE” or the “Association”), we are formally writing to express our position on the recent Widelity, Inc. report that was commissioned by the FCC concerning the repacking timeline and expenses that will be confronted by broadcasters after the Commission repacks the broadcast spectrum when the incentive auctions are completed.

NATE is a non-profit trade association in the wireless infrastructure industry providing a unified voice for tower erection, service, and maintenance companies. NATE’s mission is safety, standards, and education, and the Association remains the undisputed global leader in tower climber safety.

The Widelity report concluded that the repacking process “will pose significant challenges to the industry” and that “a number of potential bottlenecks in the post-repacking transition process . . . may potentially extend the amount of time a station needs to complete construction of its new facilities.”¹

NATE finds it particularly concerning that the FCC appears to be requiring that broadcasters subject to the repacking will have only 36 months to complete their transition to the new channel repacking despite not having divulged what the intended repacking will entail or the channel allocations that will result.

¹ Widelity, Inc., *Response to the Federal Communications Commission for the Broadcaster Transition Study Solicitation – FCC13R0003*, GN Docket No. 12-268, at 7 (December 30, 2013).

The challenge for broadcasters and tower owner companies is how this repacking will roll out. Broadcasters will need help and guidance to reclaim their repacking costs. These costs must include temporary broadcast operations and tower structural analysis considerations. Most towers also will require modification to meet new standards, including rigging plans which are now required, sequence and timing around ratings periods, crew selection and insurance requirements.

By extension, the FCC and its intervention are likely to promote a scenario in which under-trained and unqualified individuals and contractors will seek to reap the rewards of over a billion dollars of channel relocation dollars. This will undoubtedly lead to an increase in accidents and fatalities similar to what occurred in 2006 as more and more contractors rushed to take advantage of TV stations' need for tower-related services leading up to the 2009 analog sunset.

Broadcasters will be faced with limited tower crew options and the risks inherent in using an unqualified tower contractor cannot be over-emphasized. Contractors that spend the money to properly train and equip their crews are put at a financial disadvantage. Contractor insurance is another important consideration.

NATE has published its Qualified Contractors Checklist for years, yet unqualified contractors are not being properly vetted. NATE and OSHA also have the same goals in terms of advocating for a safe workplace and ensuring that every worker is able to return home safely each evening. Recently, the Association worked with OSHA to broadcast a video keynote address by Dr. Michaels at NATE UNITE 2014, distribute a letter signed by the assistant secretary to our membership, and help promote OSHA's new communication towers website resource page. The Association also continues to collaborate with OSHA on a variety of tower safety initiatives.

In summary, NATE believes that the FCC's 36-month repacking time frame is unrealistic and could potentially jeopardize worker safety while compromising the economic benefits offered by towers and the tower industry.

Your consideration of these comments is greatly appreciated. If you have any questions or need additional information, please don't hesitate to contact NATE.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Schlekeway", with a long, sweeping horizontal line extending to the right.

Todd Schlekeway
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